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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. **Jaime MOJICA-Gonzalez,** Defendant	Magistrate Docket No. '08 MJ 0204 DEPUTY COMPLAINT FOR VIOLATION OF: Title 8, U.S.C., Section 1326 Deported Alien Found in the United States

The undersigned complainant, being duly sworn, states:

On or about **January 22, 2008** within the Southern District of California, defendant, **Jaime MOJICA-Gonzalez,** an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **23rd** **DAY OF** **January 2008**

Jan M. Adler
UNITED STATES MAGISTRATE JUDGE

JPMC

CONTINUATION OF COMPLAINT:
Jaime MOJICA-Gonzalez

PROBABLE CAUSE STATEMENT

On January 22, 2008, Supervisory Border Patrol Agent A. Rivera received a call from Border Patrol Agent D. Gardner, who observed a group of suspected illegal aliens near an area known as Palm Canyon. This area is located approximately four miles east of the Otay Mesa, California Port of Entry and three miles north of the United States/Mexico International Boundary.

Agent Rivera responded to the area and waited. After a brief wait, a group of three individuals walked up to his location. Agent Rivera identified himself as a Border Patrol Agent and questioned the group as to their citizenship. When asked of what country they were citizens the entire group, including an individual later identified as the defendant **Jaime MOJICA-Gonzalez**, answered "Mexico". When asked if they if anyone had immigration documents allowing them to legally be or remain in the United States, everyone including the defendant answered "No." The group was arrested at approximately 8:01 A.M., and transported to the Chula Vista Border Patrol Station for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to Mexico on December 6, 2007, through Calexico, California. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.